

# **EXHIBIT 2**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

RICHARD L. CAMPBELL,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	1:17-cv-00129-MR-DLH
	)	
SHIRLEY TETER and SINCLAIR	)	
COMMUNICATIONS, INC.,	)	
	)	
Defendants.	)	
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	)	
SHIRLEY TETER,	)	
	)	
Plaintiff,	)	
	)	Case No.
vs.	)	1:17-cv-00256-MR-DLH
	)	
PROJECT VERITAS ACTION FUND,	)	
et al.,	)	
	)	
Defendants.	)	
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\* \* \*ATTORNEYS' EYES ONLY\* \* \*

VIDEOTAPED DEPOSITION OF JAMES E. O'KEEFE, III

(Taken by Attorneys for Shirley Teter)

Winston-Salem, North Carolina

Wednesday, November 28, 2018

Reported in Stenotype by  
Jana F. Collins  
Transcript produced by computer-aided transcription

1 Q Did you come to North Carolina in 2014?

2 A Yes.

3 Q What was that for?

4 A The press conference about an investigation we  
5 did.

6 Q And what was that investigation?

7 A It was regarding potential noncitizens being  
8 encouraged to vote in the midterm elections.

9 Q Encouraged to or allowed to?

10 A Encouraged or allowed. It was the subject of  
11 the investigation.

12 Q And did you come during the investigation  
13 itself?

14 A I don't remember exactly. I'd have to go back  
15 and check.

16 Q Did you speak to any elections officials  
17 during that investigation?

18 A I believe I did. I believe now that my memory  
19 is refreshed, I did, yes.

20 Q And what was the nature of your conversations  
21 with them?

22 A Well, I talked about ballots and voting and  
23 issues of that nature.

24 Q Did you ever present yourself to an elections  
25 official in North Carolina and give them a name other

1 than your own?

2 **A Yes.**

3 Q Was it your understanding that those people  
4 thought that you were the person whose name you gave  
5 them?

6 **A Repeat the question.**

7 Q Was it your understanding that the person you  
8 spoke to thought that you were the person whose name  
9 you gave?

10 **A In some cases, yes.**

11 Q In other words, it was your intention to  
12 convince the North Carolina elections official that  
13 you were somebody other than James O'Keefe; is that  
14 right?

15 **A I suppose.**

16 Q And you denied being James O'Keefe in North  
17 Carolina?

18 **A I don't remember.**

19 Q You don't remember someone saying, are you  
20 James O'Keefe and you denying it?

21 MR. DEAN: Objection. Asked and answered.

22 You can answer again.

23 **A I do remember something happening with a, with  
24 a citizen to that regard now, yes.**

25 Q So why did you deny being James O'Keefe?

1

2 Q Do you have any obligation to find out whether  
3 people are telling you the truth?

4 A Not necessarily. The extent of our ethical  
5 obligation is to report accurately what people say to  
6 us. That's, that's the extent.

7 Q Was Miss Teter trained by Mr. Foval's  
8 organization?

9 A I can only report what Scott Foval said about  
10 Miss Teter and I would really like to refer to a  
11 transcript of that so that I can accurately answer  
12 your questions.

13 Q Have you seen a transcript of that recently?

14 A Yes.

15 Q When -- how recently?

16 A Yesterday.

17 Q Was Shirley Teter paid to disrupt Trump  
18 rallies?

19 A I can only report accurately what Scott Foval  
20 said about Miss Teter.

21 Q All you know about Miss Teter is what you've  
22 heard from Mr. Foval?

23 A That's my job as a journalist is to report  
24 what people tell me.

25 Q All you know about Miss Teter is what Mr.

1 Foval said?

2 A That's what the video is about, yes.

3 Q So your answer is yes?

4 A The answer is that what is contained in the  
5 video that we did about Scott Foval is the extent to,  
6 to what I know about, about the matter.

7 Q And to the extent what you know about Miss  
8 Teter?

9 A Yes.

10 Q You mentioned your MO. What is your MO?

11 A We use investigative journalism and undercover  
12 techniques to expose the truth, tell the truth to the  
13 people. It's our mission to expose waste, fraud,  
14 abuse, corruption, dishonesty in order to make society  
15 more ethical and transparent.

16 Q Are you journalists?

17 A Yes.

18 Q Anything other than journalists?

19 A Journalism is a broad term so we, that -- I  
20 think that captures who we are.

21 Q Has anyone outside of Project Veritas  
22 considered Project Veritas to be journalists?

23 A Yes.

24 Q Who?

25 A Oh, I, I'm struggling to come up with names

1 **check.**

2 Q He wasn't with you back during the project,  
3 the Acorn project?

4 **A I knew him then, yes.**

5 Q And he did some work for Project Veritas then?

6 **A Not as a employee, no.**

7 Q As what?

8 **A As a independent contractor.**

9 Q How many people have worked at Project Veritas  
10 since its inception?

11 **A I don't have an exact number. I am, I would**  
12 **have -- if I had to give you a best answer, it**  
13 **probably be somewhere over a hundred people.**

14 Q How many working there now?

15 **A I don't have the exact number, but we have**  
16 **both employees and independent contractors. So in --**  
17 **over 30 people.**

18 Q How many employees did you have during the  
19 summer of 2016?

20 **A I would say over a dozen.**

21 Q As many as 22?

22 **A Yes, that's possible.**

23 Q What is Project Veritas Action Fund?

24 **A It is a 501 C3 corporation.**

25 Q What's its relationship with Project Veritas?

1       **A     They are related entities.**

2       Q     Was Project Veritas Action Fund created at the  
3 same time as Project Veritas?

4       **A     No.**

5       Q     When was it created?

6       **A     In the latter part of 2014.**

7       Q     Why was Project Veritas Action Fund created?

8       **A     To investigate and expose waste, fraud, abuse**  
9 **corruption and dishonesty in order to make a more**  
10 **transparent and ethical society.**

11      Q     That sounds like why Project Veritas was  
12 created?

13      **A     Yes.**

14      Q     So why did you have to have two?

15      **A     Because the IRS mandates that if you're**  
16 **exposing these sorts of things within say 90 days of**  
17 **an election, it has to be done under a different**  
18 **corporation.**

19      Q     Even if the target is not a public official?

20      **A     I believe so, but I'm not sure.**

21      Q     Are you aware of people outside of Project  
22 Veritas saying you're not a journalist?

23      **A     Yes.**

24      Q     Who's done that?

25      **A     Many people in the mainstream media.**



1 Q Can you give me some examples?

2 A Specific names?

3 Q Yes.

4 A Honestly, it's difficult for me to extract  
5 those from my memory right at this moment. I don't --  
6 I'm struggling to come up with one particular --

7 Q Not even one name?

8 A -- name.

9 Q Okay.

10 A A lot of people on MSNBC.

11 Q Let me show you a short video, if I'm capable.

12 (Video Plays)

13 Q Who is that?

14 A That's Dean Baquet.

15 Q And what's his job?

16 A He is the New York Times executive editor.

17 Q And does he have a position with any  
18 journalistic, journalism societies or organizations?

19 A I'm sure he does.

20 Q Is he chair of the Society of Professional  
21 Journalists?

22 A I don't know.

23 Q Were you aware of this opinion that Mr. Baquet  
24 has of what you do?

25 A Yes.

1       **A     The truth.**

2       Q     Aren't you trying to get people to say things?

3       **A     Not necessarily.**

4       Q     Can you name an investigation you've had where  
5 it didn't involve somebody saying something on camera?

6       **A     I'm sorry.    Could you repeat the question?**

7                   (QUESTION WAS READ BACK BY COURT REPORTER)

8       **A     Where it didn't involve somebody saying what?**

9       Q     Let me try that again.    Have you ever reported  
10 a successful investigation that did not involve  
11 someone saying something on camera?

12       **A     I'm struggling to understand your question.**

13       Q     All right.    Let me put it this way.    Have you  
14 ever had a successful investigation where you didn't  
15 entrap someone into saying something stupid on camera?

16                   MR. DEAN:   Object to form.    You can answer.

17                   **THE WITNESS:   Answer?**

18                   MR. DEAN:   Yeah.

19       **A     Well, I'm still struggling to understand the**  
20 **question, but I'll attempt to answer it.    We have done**  
21 **investigations that didn't involve the use of hidden**  
22 **cameras.**

23       Q     How many times?

24       **A     Oh, dozens, I suppose.**

25       Q     What percentage of your investigations don't

1 involve hidden cameras?

2 **A I'd say a substantial minority of them.**

3 Q Less than 10 percent?

4 **A It could be 10 to 25 percent, I suppose.**

5 Q Are there other words you use to describe your  
6 projects instead of investigations?

7 **A That I've used?**

8 Q Yes.

9 **A Or that I use currently?**

10 Q Let's go with have you ever used?

11 **A I believe there have been other words.**

12 Q What are they?

13 **A I think I've referred to them as stings on**  
14 **occasion.**

15 Q Have you referred to them as pranks?

16 **A I don't, I don't know if I've done that.**

17 Q Other people have though, haven't they?

18 **A Yes.**

19 Q You ever refer to them as capers?

20 **A I don't know if I've done that.**

21 Q Other people have referred to them as that,  
22 haven't they?

23 **A I don't know.**

24 Q Okay. When you have a sting, do you by  
25 definition have a target?

1 information. I will do so willingly, but I do believe  
2 that it is a violation of a journalistic ethic.

3 Q Mr. Foval was a source, wasn't he?

4 A I'm sorry?

5 Q Mr. Foval, he was a source, wasn't he?

6 A He was the subject.

7 Q Are you calling the sources your own  
8 reporters, your own journalists?

9 A In some cases, yes.

10 Q And you object to revealing the names of your  
11 own journalists?

12 A The names of the sources.

13 Q I'm familiar with journalism involving sources  
14 who talk to journalists. Explain to me exactly what  
15 your terminology is there.

16 A Well, there is some confusion about this, but  
17 we try to avoid disclosing the identities and the  
18 names of our undercover journalists because that could  
19 compromise the work that we continue to do as  
20 investigative journalists. And there is a story  
21 tradition of protecting sources and methods inside  
22 investigative journalism.

23 Q That refers to confidential sources though,  
24 doesn't it?

25 A Yes.

1 Q Not to your own hired investigators?

2 A Well, in our case, it might compromise our  
3 ability to do the work that we do. In some cases, it  
4 would compromise our ability to do our journalistic  
5 work to disclose the identities of our sources.

6 Q So after you conducted the -- after you  
7 conducted the Democracy Partners investigation, you  
8 released a video?

9 A Yes.

10 Q And it was called what, Rigging the Election?

11 A Yes.

12 Q Let me show you a part of that.

13 (Video Plays)

14 Q So the fellow talking with the red and white  
15 shirt, who is that?

16 A May I see the first minute and 12 seconds  
17 again?

18 Q Sure.

19 (Video Plays)

20 A Pause. That is Scott Foval.

21 Q All right. And the person who says Hillary is  
22 aware of that, who is that?

23 A Bob Creamer.

24 Q No. The person who said Hillary is aware of  
25 that? Just play it from right there.

1       **A     Because I believe journalism is an activity,**  
2 **not an identity, and we should evaluate the media or**  
3 **journalism entity by the fruits of what they do.**

4       Q     Did Sinclair end up having the opportunity to  
5 be the first to break the story?

6       **A     I believe they did.**

7       Q     And did they take that opportunity?

8       **A     They did not.**

9       Q     What was the expression you used? Did they,  
10 they cut you loose or whatever? What was the -- do  
11 you remember what you said?

12       **A     I'm sorry?**

13       Q     What, what was it that Sinclair did?

14       **A     They chose not to launch the story.**

15       Q     Let me show you.

16                               (Video Plays)

17       Q     Spiked. That's you talking about Sinclair?

18       **A     Yes.**

19       Q     What do you mean by they spiked the story?

20       **A     Spiked means to cancel a story or to choose**  
21 **not to publish a story oftentimes right before that,**  
22 **that was supposed to happen.**

23       Q     Why did they do that?

24       **A     Well, let me think. I'm not certain. I was**  
25 **never able to ascertain with certainty why they did**

1 it.

2 Q Did anybody ever tell you why they did it?

3 A I did have a conversation with someone there  
4 and he made some statements.

5 Q Who was that?

6 A His name was John Solomon.

7 Q And what did Mr. Solomon say?

8 A I don't -- I'm assuming you have the exhibit.  
9 If I can look at it, otherwise, I'll have to just  
10 paraphrase.

11 Q Okay.

12 A It was him saying he had Bob Creamer in his  
13 offices right now. This is when he spoke to me. And  
14 he said sometimes these decisions are made, I believe  
15 he said something to the effect of at a higher up  
16 level and it was circumstances not in his control,  
17 something to that effect.

18 Q What was Mr. Solomon's position at Sinclair  
19 Media?

20 A I believe he was the C, chief operations  
21 officer of Circa which is an arm of Sinclair.

22 Q What do they do?

23 A They're investigative journalists.

24 Q At the same time that you were having trouble  
25 with Sinclair spiking the story, were you also having

1 trouble with Fox News using it?

2 A Trouble. I don't, I don't believe there was  
3 any trouble at that same time, no.

4 Q Fox News was not refusing to run the video at  
5 the same time that you were having the issues with  
6 Sinclair Media spiking the story?

7 A There, there was, there was a few days, this  
8 happened over the course of a few days. So there was  
9 a, quite a few events that occurred between when I  
10 received the call from Solomon and when the story did  
11 ultimately appear on Fox News.

12 Q Did the Fox News initially decline to run with  
13 the video?

14 A I don't remember if there was some, an  
15 official declining. I wouldn't characterize it.

16 Q Was there some sort of unofficial declining?

17 A Well, there were statements made by executives  
18 and anchors of the network to the effect that they're  
19 looking into this.

20 Q Did you get the impression that for some  
21 unstated reason they didn't want to use your video?

22 A I wrote about this in my book American Pravda  
23 extensively. But I believe that due to the nature of  
24 hidden camera, journalism television executives are  
25 oftentimes reticent to air the tapes for various



1 **reasons.**

2 Q Do you think it had anything to do with you  
3 personally?

4 **A I don't know.**

5 Q Nobody ever told you you had been banned from  
6 Fox News?

7 **A No one's ever told me that.**

8 Q Okay. We're looking at another video.

9 (Video Plays)

10 Q That was you, right?

11 **A Yes.**

12 Q What were you talking about?

13 **A I was talking about what someone told me about**  
14 **us and Fox News.**

15 Q And that was at a time when you were trying to  
16 get some traction with the Rigging the Election video?

17 **A Yes.**

18 MR. SASSER: Let's mark this as the next  
19 exhibit. Jamie, for the record, that's PVDEF  
20 0000467.

21 MR. DEAN: Thank you.

22 (EXHIBIT 7 WAS MARKED FOR IDENTIFICATION)

23 Q Have you seen Exhibit 7 before?

24 **A I may have seen this before.**

25 Q When is the last time you saw it?

1 them. Again, standard journalistic practice across  
2 the industry and at news networks and certainly with  
3 reporters on background, it's -- you don't have to  
4 refer to someone to, by name to refer to them. Scott  
5 Foval clearly indicates that she was one of the  
6 activists who had been trained to birddog and we  
7 reported accurately what Scott Foval said in this  
8 instance.

9 Q All right. Third line up from the bottom of  
10 page 47 -- 471 Foval says, "No, no, no, no, it was not  
11 preplanned but she was one of our activists." You,  
12 you didn't include the it was not preplanned in your  
13 video, Rigging the Election, did you?

14 A We did not include that in this release, no.

15 Q Are you aware that Scott Foval has said  
16 whenever you see trouble at a Trump rally, that's us?

17 A I'd have to refer to all the materials. It  
18 sounds vaguely familiar.

19 Q Do you have the impression that Scott Foval  
20 was taking a lot of credit for what happened at Trump  
21 rallies?

22 A He appears to do that in some cases, yes.

23 MR. SASSER: Let's mark this as the next  
24 exhibit. Jamie, this is Exhibit 8. PVDEF  
25 0007106.

1 there's an e-mail that, that you send that doesn't  
2 have a To line?

3 **A Oftentimes, it might mean that I'm sending it**  
4 **to the staff blind carbon copied.**

5 Q I see. That's September 29, 2016?

6 **A Yes.**

7 Q And the Subject is Target Foval/Creamer  
8 Release Date, right?

9 **A Yes.**

10 Q And you say, "Set your calendars for launching  
11 March -- Monday, October 17th on first installment of  
12 that story. Debate is 19th. Sources tell me strong  
13 chance material may be used in that debate." Who are  
14 are those sources?

15 **A I don't recall.**

16 Q "That means operations must get any necessary  
17 material by 6:00 a.m. Monday, October the 17th. You  
18 have 20 days to get a smoking gun." What did you mean  
19 by that?

20 **A I mean, they have, our journalists have that**  
21 **much time to complete substance of their**  
22 **investigation.**

23 Q Do you remember offering a bonus to your  
24 employees?

25 **A Yes.**

1 Q Why did you do that?

2 A We often try to provide incentives and rewards  
3 for a job well done.

4 Q Did you have some criteria for establishing a  
5 bonus for Rigging the Election?

6 A I believe I did.

7 Q What were the criteria?

8 A I don't remember exactly.

9 Q Did a reference to the video in a presidential  
10 debate count as, as bonus material?

11 A I believe there was some reference to that.

12 Q Was getting a, an article in the New York  
13 Times a basis for a potential bonus?

14 A I believe it may have been.

15 Q Did you pay out bonuses for the video, Rigging  
16 the Election?

17 A I believe I did.

18 Q How much got paid out?

19 A I'd have to check with my accountant.

20 Q Would it have been tens of thousands of  
21 dollars?

22 A Maybe not that much.

23 Q How successful was the Rigging the Election,  
24 Part 1 video?

25 A How do you define success?

1 Q However you would define it.

2 A Well, I think it exposed and accurately  
3 captured some significant newsworthy events in our  
4 political system, raised serious questions and was  
5 covered by a lot of mainstream media organizations  
6 that took the tapes very seriously including CNN, the  
7 New York Times, A section. I think it was a very  
8 serious and significant piece of journalism.

9 Q Was Rigging the Election, Part 1 the most  
10 watched of all Project Veritas videos at the time?

11 A Most watched in our organization's history?

12 Q Yes.

13 A I believe it was.

14 Q And it smashed the record, didn't it?

15 A It was watched on You Tube well over in  
16 advance of what was in previous and many other forums,  
17 social media as well.

18 Q At one point, you said it smashed the record  
19 by going from 1.2 million to 7 million. Do you recall  
20 that?

21 A That's the You Tube view count.

22 Q Do you recall saying that Rigging the  
23 Election, Part 1 was the most watched video in the  
24 world in the 24 hours leading up to the presidential  
25 debate?

1       **A     That sounds like something I may have said.**

2       Q     Is that accurate?

3       **A     I believe it, I believe it is and was.**

4       Q     As a result of the Rigging the Election video,  
5 were you invited to the third presidential debate in  
6 Las Vegas?

7       **A     I was.**

8       Q     The Trump campaign invited you?

9       **A     A man named Charlie Kirk invited me.**

10      Q     Was he affiliated with the Trump campaign?

11      **A     I don't know.**

12                        (Video Plays)

13      Q     Was that Charlie Kirk you're referring to?

14      **A     I believe it was. Charlie Kirk was the, is**  
15 **the head of Turning Points which is a nonprofit**  
16 **organization. I'm not exactly sure his, his role or**  
17 **relationship was with the campaign at the time.**

18      Q     So when you were telling your staff that you  
19 got a call from one of his people, surrogates, were  
20 you referring to Charlie Kirk?

21                       MR. DEAN: Object to the form. It's vague.

22      **A     I, I believe I was referring to Charlie Kirk.**

23                       (Video Plays)

24      Q     That was leading up to the presidential  
25 debate?

1 Q Who mentioned it?

2 A The President.

3 Q What did he say?

4 A Well, let me think about exactly. He said  
5 something to the effect of -- let me just try to  
6 remember. She -- he referencing Hillary Clinton said  
7 that she was the one that caused the violence and he  
8 referenced the clips and what he saw on the tapes that  
9 were released in that week about the incitement of  
10 violence at these Trump rallies including his rally  
11 and he specifically mentioned in Chicago in an  
12 exchange with Hillary Clinton at that presidential  
13 debate.

14 (Video Plays)

15 Q Was that true at the time you said it?

16 A Yes.

17 Q Still true?

18 A Well, let me think for a minute. I'm not  
19 sure. That's a tough, that's a tough, tough question  
20 because these things are oftentimes not yes or no  
21 questions.

22 Q But at the time, it was the biggest story  
23 you'd ever done?

24 A Yes.

25 Q Is now a good time to take a break?

1 THE VIDEOGRAPHER: We're going off the  
2 record. The time on the video monitor is 3:13  
3 p.m.

4 (RECESS TAKEN)

5 THE VIDEOGRAPHER: This is the beginning of  
6 media unit number 3 in the videotaped deposition  
7 of James E. O'Keefe, the Third. November the  
8 28th, 2018. It is now 3:34 p.m. Please continue.

9 BY MR. SASSER:

10 Q Mr. O'Keefe, did you read the New York Times  
11 article about Rigging the Election?

12 A Yes.

13 Q It had a reference to Shirley Teter in it?

14 A I don't recall a Shirley Teter reference.

15 MR. SASSER: Let's mark this as the next  
16 exhibit.

17 (EXHIBIT 23 WAS MARKED FOR IDENTIFICATION)

18 Q Exhibit 23 is newsreports 000017.

19 A Okay.

20 Q You see the reference to Miss Teter?

21 A Yes.

22 Q On the bottom of page 3 of 4, 000019, it says,  
23 "In a phone interview Thursday, the woman, Shirley  
24 Teter said she had attended the rally which was near  
25 her home on her own accord and had not received any



1 protest training." You see that?

2 **A Yes.**

3 Q And you read that shortly after it was  
4 published on October the 20th, 2016?

5 **A This article, yes.**

6 MR. SASSER: Let's mark this as the next  
7 exhibit.

8 (EXHIBIT 24 WAS MARKED FOR IDENTIFICATION)

9 Q I'm showing you what's been stamped as PVDEF  
10 0014029.

11 **A Uh-huh.**

12 Q Exhibit 24. That's an e-mail from you to a  
13 number of people; is that right?

14 **A Yes.**

15 Q And it's dated October 21, 2016?

16 **A Yes.**

17 Q And it includes that New York Times article of  
18 Exhibit 23?

19 **A Yes.**

20 Q Who is John Richards?

21 **A He's an advisor to me.**

22 Q A financial advisor?

23 **A No.**

24 Q What kind of an advisor?

25 **A Advisor to my work at Project Veritas.**

1       **A**     That would, that, that -- we make  
2     determinations about what is newsworthy and, and as  
3     evidenced by this New York Times story, it's fairly  
4     newsworthy what these people were saying and doing and  
5     claiming. It was very, it was so newsworthy that it  
6     made CNN. The other, the other parts of the material  
7     rose to that standard. So our ethical obligation  
8     extends to reporting accurately what we see and what  
9     we hear and that rises well far above and beyond the  
10    ethical obligations of traditional journalists do not  
11    disclose their sources. They don't even disclose raw  
12    transcripts of their interviews with sources. So  
13    we're being held to a standard that is well above and  
14    beyond the standard that is expected of any  
15    award-winning journalist.

16       **Q**     By October the 21st, you knew that Shirley  
17    Teter denied being a birddogger, didn't you?

18       **A**     I don't recall.

19       **Q**     Well, if you look at this e-mail you sent  
20    around to your counselors, you see that Shirley Teter  
21    denied to the New York Times that she had any protest  
22    training. You see that?

23       **A**     Okay.

24       **Q**     I mean, you read it before you sent it around  
25    to your counselors, didn't you?

1       **A    Most likely.**

2       Q    And then you decided to do a video devoted  
3 solely to Shirley Teter?

4       **A    I'd have to check about how and why that**  
5 **decision was made, but there was a video released,**  
6 **yes.**

7       Q    Who made that decision?

8       **A    I don't remember.**

9               MR. SASSER:  Let's mark this as the next  
10 exhibit.

11               (EXHIBIT 25 WAS MARKED FOR IDENTIFICATION)

12               MR. SASSER:  Jamie, Exhibit 25 is PVDEF  
13 0011651 except the version that I've given to Mr.  
14 O'Keefe seems to be cut off at the bottom.

15               MR. DEAN:  Okay.

16               MR. SASSER:  That Bates stamp and the word  
17 Confidential don't appear on that copy.

18               MR. DEAN:  Okay.

19 BY MR. SASSER:

20       Q    What is Exhibit 25?

21       **A    I don't know.**

22       Q    Are you familiar with a program known as  
23 Slack?

24       **A    Yes.**

25       Q    You used that for what purpose at Project

1       **A    No, that's not the reason.**

2       Q    Okay.  Without looking at a full sentence, is  
3   it possible for a snippet to be misleading?

4       **A    It's possible for journalists, media folks and**  
5   **attorneys to be misleading, but we were not misleading**  
6   **and we 100 percent stand by our reporting, period.  We**  
7   **stand by the context and the color of what we**  
8   **presented.**

9       Q    How many times has Project Veritas been  
10  accused of deceptive editing?

11       **A    Many times.**

12       Q    Pretty much every day, isn't it?

13       **A    Not every day, no.**

14       Q    Did the California Attorney General find that  
15  you'd engaged in deceptive editing?

16       **A    I'd have to look at that report to properly**  
17   **characterize exactly what he found.**

18       Q    So when you settled with the Star Ledger, you  
19  had an attorney, right?

20       **A    Yes.**

21       Q    Did any of your discussions over whether to  
22  drop this minute and a half video on Shirley Teter  
23  involve her ability to fight back?

24               MR. DEAN:  Object to form, vague.

25       **A    You have to repeat the question, please.**

1 Q Did you ever use video one, Rigging the  
2 Election to solicit donations?

3 A I don't think there were any solicitations in  
4 the video.

5 Q Did you refer to the video in solicitation  
6 letters?

7 A I may have. We do that probably all of the  
8 time.

9 Q Every time you release a video, you ask for  
10 collections, donations?

11 A I suppose in the same way NPR or PBS does.  
12 You could say that we're funded by viewers like you  
13 except we don't get government funding, of course. So  
14 we oftentimes do have to ask for money. We're a  
15 nonprofit organization. We don't have advertisers.  
16 So we often solicit, even sometimes on a daily basis.

17 Q And you traded on the popularity of video one  
18 to solicit donations, didn't you?

19 A I would say so, probably.

20 Q You boasted about how successful the Rigging  
21 the Election video was?

22 A I don't know what you're referring to, but I  
23 certainly have done that.

24 Q Did donations increase after the Rigging the  
25 Elections video?

1       **A     I'd have to check our financial records.**

2       Q     You don't know off the, off the top of your  
3 head whether the donations went up or down?

4       **A     I don't know off the top of my head, no.**

5       Q     Okay. The Washington Post has reported that  
6 you brought in \$4.8 million in 2016. You have any  
7 reason to disagree with that?

8               MR. DEAN: Objection. You said you, vague.

9       Q     Okay. The charity brought in \$4.8 million in  
10 2016?

11       **A     Yes. I believe that they probably received**  
12 **that information from our 990 tax return. So I have**  
13 **no reason to dispute that.**

14       Q     Someone else says, reported that Project  
15 Veritas doesn't seem to be having money problems. Its  
16 budget has nearly doubled every year. According to  
17 financial filings, O'Keefe said it raised more than \$7  
18 million in 2017. Is that accurate?

19       **A     Is the statement made by that person accurate?**

20       Q     Yes.

21       **A     We did raise more than \$7 million in 2017,**  
22 **yes.**

23       Q     How much did you raise in 2017?

24       **A     I'd have to go back and check our tax return**  
25 **on the exact number.**

1       **A    It is extraordinarily difficult to comply with**  
2       **the litany of Attorney General and State issues that**  
3       **our organization is faced with.**

4       Q    Your organization knows who the officers are,  
5       right?

6       **A    Yes.**

7       Q    And your organization should know whether any  
8       of the officers have any criminal convictions,  
9       correct?

10       **A    It was a unintentional filing error as far as**  
11       **I understand and I would object to any**  
12       **characterization beyond that.**

13       Q    Your criminal conviction, did it involve a  
14       dishonest act?

15               MR. DEAN:   Object to form.

16       **A    I don't believe so.**

17       Q    Did your criminal conviction involve a false  
18       statement?

19               MR. DEAN:   Same objection.

20       **A    I don't believe so.**

21       Q    What precisely was the crime to which you  
22       pleaded guilty?

23       **A    Entry by false pretense, a class B**  
24       **misdemeanor.**

25       Q    False pretense would seem to include a false

1       **A     Right.**

2       Q     It's our team doing it?

3       **A     Yes.**

4               MR. SASSER:   Okay.   Hit play.

5                       (Video Plays)

6       Q     What, what is the Raleigh thing?   Do you  
7 understand that?

8       **A     I don't.**

9               MR. SASSER:   Okay.   Play.

10                      (Video Plays)

11               MR. SASSER:   Stop.

12       Q     What are you doing?

13       **A     I am coaching the journalist on the question**  
14 **that I think the journalist ought to ask, ought to ask**  
15 **Scott Foval in this moment.**

16       Q     Would you say you're being active in doing so?

17       **A     Yes.**

18               MR. SASSER:   Go ahead.   Play some more.

19                      (Video Plays)

20       Q     Now what are you doing?   What was that?

21       **A     I'm sorry?**

22       Q     What were you doing just then in the video?

23       **A     I'm trying to help our journalist ask the**  
24 **right question of the source, Scott Foval.**

25       Q     You were pointing at the screen, right?



1       **A     Yes.**

2       Q     With both hands?

3       **A     Yes.**

4       Q     And what kind of look are you giving the  
5     journalist?

6       **A     A look of urgency.**

7                 MR. SASSER:   Okay.   Play.

8                         (Video Plays)

9       Q     Now what are you doing?

10       **A     I'm pointing to the question that he ought to**  
11 **ask Scott Foval.**

12       Q     You were actually tapping the computer screen  
13 with your finger, weren't you?

14       **A     Yes.**

15                 MR. SASSER:   All right.   Play.

16                         (Video Plays)

17       Q     So he finally asked the question you were  
18 wanting him to ask?

19       **A     Yes.**

20       Q     The question about the violence?

21       **A     Yes.**

22       Q     You described something very similar to this  
23 in American Pravda, don't you?

24       **A     Yes.**

25       Q     About trying to get Christian to get

1 Q In 2016 -- I'm sorry. In 2012, you published  
2 a video stating that William Romero had committed  
3 voter fraud, didn't you?

4 A I'd have to refresh my memory on that  
5 incident.

6 MR. SASSER: All right. Can you play?

7 (Video Plays)

8 MR. SASSER: Stop.

9 Q Who's the person talking? Who is the  
10 investigator you're using there?

11 A Spencer Meads.

12 MR. SASSER: Okay, continue.

13 (Video Plays)

14 Q Is that you talking?

15 A Yes.

16 Q And you just said that William Romero is not a  
17 United States citizen, correct?

18 A Yes.

19 Q Do you need to see anymore of that?

20 A Depends upon what you're going to ask me.

21 Q Were you wrong about Mr. Romero being a United  
22 States citizen?

23 A Well, I would certainly have to see this whole  
24 video.

25 (Video Plays)

1 Q Who is the person talking to the North  
2 Carolina elections officials?

3 A That was a journalist with Project Veritas.

4 Q What was his name?

5 A [REDACTED]

6 Q You refer to him in your book as John Buckley?

7 A Yes.

8 Q Do you know whether or not Mr. Romero is  
9 actually a United States citizen?

10 A Can you play the first part of the video  
11 again, please?

12 Q Yeah.

13 (Video Plays)

14 A Okay. I, I do recall having to print a  
15 correction or an apology about this portion of the  
16 video after publishing the video. So we may have  
17 indeed had to correct this portion.

18 Q So you made a false statement about Mr. Romero  
19 illegally voting in North Carolina?

20 A I, I'd have to check the whole facts  
21 surrounding the investigation, but I believe this was  
22 one of the only instances in the history of our  
23 organization where we had to correct something that we  
24 reported, yes.

25 Q Turn --

1       **A     Well below industry standard.**

2       Q     Mr. Romero was, in fact, a North Carolina  
3 citizen?

4       **A     I believe so.**

5       Q     And you falsely said that he was not?

6               MR. DEAN:  Objection.  Asked and answered.

7       **A     Again the, we, I believe we corrected, I**  
8 **believe there was an apology for this portion of the**  
9 **video.  And like I said, well, well below industry**  
10 **standard for journalists in terms of the corrections**  
11 **that we've published.**

12       Q     Didn't you say earlier today that Project  
13 Veritas has not done apologies or retractions?

14               MR. DEAN:  Objection.  Misstates his  
15 testimony.

16       **A     I don't believe I characterized it that way.**  
17 **But again, in the spirit of what it means to be a**  
18 **journalist, we don't make many mistakes at Project**  
19 **Veritas.  We make far fewer than industry standard and**  
20 **that's self-evident.**

21       Q     In 2012, you also published a video saying  
22 that Zbigniew Gorzkowski had committed voter fraud?

23       **A     I'd have to refresh the facts of that case.**

24       Q     Okay.

25                               (Video Plays)

1 Q So you said that Mr. Gorzkowski is not a  
2 United States citizen, correct?

3 A According to the refusal form that I'm seeing  
4 here.

5 MR. SASSER: Continue to play that.

6 (Video Plays)

7 A But like I stated earlier in my testimony,  
8 this, this two or series of stories, we did have, we  
9 did have to correct or however you want to  
10 characterize it, apologize.

11 Q Were you wrong about Zbigniew Gorzkowski?

12 A I'd have to go back and check exactly.

13 MR. SASSER: Let's mark this as the next  
14 exhibit.

15 (EXHIBIT 32 WAS MARKED FOR IDENTIFICATION)

16 Q Mr. O'Keefe, I'm showing you Exhibit 32. An  
17 article from the News and Observer of Raleigh, North  
18 Carolina?

19 A Yes.

20 Q Its title is Coming to America, Bringing  
21 Foreign Fare. It's dated March 8, 2008?

22 A Yes.

23 Q Can you read aloud the second paragraph?

24 A "Customers flocked through the red door of  
25 Ziggy and wife Gorzkowski's European grocery and

1 proudest things that we've done is to compel reform.  
2 That's the job of investigative journalism is to  
3 compel reform and society's institutions which is  
4 what, which is what these videos help do.

5 Q You're proud of this?

6 A Absolutely.

7 MR. SASSER: Hit play.

8 (Video Plays)

9 MR. SASSER: Stop.

10 Q When she says is Romero your last name and he  
11 gives the name William de Jesus Romero, are you saying  
12 that that's not being deceitful?

13 MR. DEAN: Objection. Misstates the video.

14 A The name is William de Jesus Romero is what he  
15 says and, and indeed I believe that the intent of this  
16 investigation, as I previously stated, is to expose  
17 the vulnerabilities in the system. And this, these  
18 videos and those like it have led to reforms in state  
19 legislatures across the country which is the job of  
20 investigative journalism.

21 Q Can you describe what Mr. Houting is wearing  
22 there?

23 A He's wearing glasses. He's wearing a shirt.  
24 He's wearing lederhosen.

25 Q And what's he carrying?

1       **A     I'm sorry?**

2       Q     What is he carrying?

3       **A     I, I can't tell.**

4       Q     What, what kind of a hat is he wearing?

5       **A     I can't tell from the image right here.**

6               MR. SASSER:   Okay.   Run it back a little  
7     bit.

8                       (Video Plays)

9       Q     What kind of hat is he wearing?

10      **A     I don't know what to call the --**

11      Q     Okay.

12      **A     I don't, I can't characterize the hat.   It's a**  
13 **cap of some type.**

14      Q     Who's in charge of ethics at Project Veritas?

15      **A     Well, ultimately I'm responsible.   I'm**  
16 **responsible as the leader, but I do authorize the**  
17 **people that work for me to help assist.**

18      Q     Like, who?

19      **A     Like, Joe Halderman.**

20      Q     Do you consult him about journalism ethics?

21      **A     I do.**

22      Q     Does Mr. Halderman have any journalism awards?

23      **A     He does.**

24      Q     What?

25      **A     Various Emmy awards.**

1 record at 6:09 p.m. Please continue.

2 BY MR. SASSER:

3 Q Mr. O'Keefe, Project Veritas corrected an  
4 inaccurate statement it made about two North Carolina  
5 residents, correct?

6 A I believe so.

7 Q And Project Veritas' source for the inaccurate  
8 statements was voter registration records?

9 A I believe that was one of the items, yes.

10 Q So Project Veritas corrected a false statement  
11 made in reliance on a third-party?

12 A Well, the difference in that case was we  
13 didn't have people on making a claim. So we, we try  
14 to hold ourselves to a higher standard than we did  
15 back in 2000 -- back when we did that. We, we try to  
16 keep to catching people or getting claims from the  
17 people in the tapes.

18 Q I'm sorry. Can you explain that?

19 A Yes. We, we oftentimes, we don't report  
20 anything unless you can see and hear it coming out of  
21 the subject's mouth. And in this particular case, we  
22 deviated from that standard and we had to, we had to  
23 correct or apologize or how you wish to characterize  
24 it.

25 Q The two North Carolina citizens were, were